

**Government of the District of Columbia**

**ZONING COMMISSION**



**Proposed Zoning Commission Order No. 74**

**Case No. 72-18P**

**October 12, 1973**

Pursuant to notice, a public hearing of the Zoning Commission was held on May 23, 1973, to consider the preliminary application for a planned unit development and related zone change, filed by the Government of the Republic of Italy.

**FINDINGS OF FACT**

1. The site of the proposed planned unit development is located at the southeastern corner of Whitehaven Street and Massachusetts Avenue, N. W., extending to Rock Creek Park and Dumbarton Oaks in Square 2155, lots 803 and 808.
2. The area of the subject site is approximately 230,000 square feet. (Baist Atlas No. 3, Page 25).
3. The subject site is presently zoned R-1-A (one-family detached dwelling - minimum width of 75 feet, minimum area of 7,500 square feet, percentage of lot occupancy 40, 3 stories and 40 feet height limit).
4. This preliminary application requests that the zoning of the subject site be changed to R-5-C (medium high density apartment house - specifications set out in Subsection 7501.24 of the Zoning Regulations).

5. This preliminary application proposes the construction of a new Italian Chancery and Embassy, to be constructed in two separate buildings.
6. The applicant in its "Memorandum in Support of Preliminary Application," filed on May 12, 1972, stated that the proposed chancery would require approximately 35,000 square feet of space above ground. At the public hearing the applicant stated that the total lot occupancy would be approximately 63,000 square feet (TR. 64), which would provide for an embassy covering 28,000 square feet. There is no requirement in Article 75 of the Zoning Regulations or in any information required by the staff of this Commission for the processing of preliminary applications for planned unit developments, which necessitates the applicant to supply proposed square footage of buildings proposed to be constructed in the planned unit development.
7. The subject site is located immediately south of an embassy enclave consisting of the Brazilian, Bolivian, British and New Zealand embassies and chanceries, commonly known as the Whitehaven Chancery Enclave. The site is bounded on the north by Whitehaven Street, on the south and east by Rock Creek Park and on the west by the Danish Embassy and the center for Hellenic Studies. A public easement crossing the southeastern corner, known as "Lovers' Lane," connects Rock Creek Park and Durnbarton Oaks Park with Massachusetts Avenue, this access way will be preserved to allow continued public usage,
8. The Zoning Commission staff recommended approval of this preliminary application for a planned unit development subject to guidelines relating to: type of proposed development as related to existing development in the area, the proposed zone change

as related to the Chancery Act of 1964, parking standards, height of buildings, bulk of buildings, lot occupancy, and the submission of a landscape plan (TR. 6, 9-10).

9. The Zoning Advisory Council recommended approval of this preliminary application for a planned unit development with nine guidelines and standards. The nine guidelines and standards relate to: application for zone change, use of property, number of buildings to be built on the subject site, maximum height of buildings, maximum floor area ratio, parking requirements, vehicular access, Lovers' Lane easement, landscaping of buildings (TR. 15, 16-17).
10. The National Capital Planning Commission recommended approval of this preliminary application for a planned unit development and found that the proposed use would be compatible with development in the neighborhood. The Commission stated that it wished to review the final application in order to assess the impact of the proposed development on Rock Creek and Dumbarton Oaks Parks (TR. 21, 22, 23).
11. At the public hearing of this case there was one person, who by counsel opposed this preliminary application.
12. This preliminary application does not conflict with the development plans and policies of the District of Columbia.
13. The site proposed in this preliminary application is suitable for use as a Planned Unit Development.

- 14. The proposed deviations from the use, height, area, density or bulk provisions of the general provisions of the Zoning Regulations will not have any adverse affect on the surrounding neighborhood.**
- 15. The type of development proposed would be consistent with existing development in the area.**
- 16. The traffic generated by the proposed development would not adversely impact the area.**

**CONCLUSIONS OF LAW**

- 1. The planned unit development process is an appropriate means of controlling the type and level of this development.**
- 2. This preliminary application is appropriate, taking the present character of the area into consideration, because it would encourage stability of the area and the land values therein.**
- 3. This preliminary application is in harmony with the intent, purpose and integrity of the comprehensive zone plan of the District of Columbia as embodied in the Zoning Regulations and Map.**
- 4. The approval of this preliminary application for a planned unit development is in accordance with the Zoning Regulations of the District of Columbia, as amended, and the Zoning Act (Act of June 20, 1938, 52 Stat. 797), as amended.**

**DECISION**

**Upon consideration of the findings of fact and conclusions of law herein, the Zoning Commission hereby ORDERS APPROVAL of said preliminary application for a Planned Unit Development, subject to the elements, conditions and guidelines hereinafter set forth:**

- 1. An application for change of zone from R-1-A to R-5-C for the entire site shall accompany application for final approval of this Planned Unit Development.**
- 2. The property shall be restricted to use by no more than one foreign government as an embassy and chancery. No more than two buildings shall be constructed on the site, one for use as a chancery the other for use as an embassy.**
- 3. The maximum height of buildings shall be 40 feet, not to exceed 4 stories, as measured from the mid point of the property line on Whitehaven Street, N. W. Due to the steep slope of the site from Whitehaven Street south to Rock Creek Par'k, in order to prevent excessive building height along the park  
all buildings and structures within 50 feet of any street or property line shall not exceed 10 feet in height above ground level.**
- 4. All buildings and structures shall be set back a minimum of 10 feet from all street and property lines.**
- 5. The maximum floor area ratio shall be 0.4.**
- 6. The maximum percentage of lot occupancy shall be 40%.**

- 7. Parking shall be provided at the minimum rate of one space per sleeping room for space devoted to embassy use, and one space per 600 square feet of gross floor area for space devoted to chancery use, including reception areas, hallways, etc. All such parking spaces shall be underground or shall be screened so as not to be visible from any public property or street.**
- 8. Vehicular access to the property shall be from Whitehaven Street, and shall be no further than 500 feet from the intersection of Whitehaven Street and Massachusetts Avenue.**
- 9. Public easement, known as Lovers' Lane which crosses the southeastern corner of the property, shall be maintained in the final plans for this planned unit development.**
- 10. All buildings and structures shall be designed so as to minimize the visual impact of such buildings and structures when viewed from adjacent public parkland.**
- 11. There shall be no change in the general wooded character or topography of the area. No tree of a 6" diameter or greater shall be removed unless it is to be covered by a building or structure, or it is necessary to remove it for a primary access road or the tree is diseased or a present danger to occupancy of the site or to the public.**

12. All areas not devoted to buildings, structures, access drives or above-ground parking shall be appropriately landscaped so as not to change the character of the area. A plan showing all such proposed landscaping shall accompany the application for final approval.

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ATTEST:

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